

# Notice of Allowability

Application No.

10/026,805

Examiner

Sanza L. McClendon

Applicant(s)

KURATA ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/21/06.
2. ☒ The allowed claim(s) is/are 4-5, 7-8, 10-11, 13-14, 16-17, 19-20 and 22-29.
3. ☒ The drawings filed on 17 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Response to Amendment*

1. In response to the Amendment received on July 21, 2006, the examiner has carefully considered the amendments. The examiner acknowledges the addition of new claims 24-29.
2. The Declaration under 37 CFR 1.132 filed July 21, 2006 is acknowledged and appreciated, however after consideration and review of translated documents used in the rejections it is deemed not necessary.

### *Response to Arguments*

1. Applicant's arguments, see Amendment, filed July 21, 2006, with respect to claims 4-5, 7-8, 10-11, 13-14, 16-17 and 19-23 have been fully considered and are persuasive. The rejection of claims 4-5, 7-8, 10-11, 13-14, 16-17, and 19-23 under 35 USC 103(a) as being obvious over Yamamoto et al (JP 63-248807) in view of Yagi et al (JP 03-163182) and Yutaka et al (JP 04-028772)) has been withdrawn. The prior art made of record fails to expressly teach and/or fairly suggest an adhesive as defined by the instant application in a pellicle film comprising a pellicle film made from fluorine-containing polymer and a pellicle frame adhered to said film using said instantly claimed adhesive. The prior art teaching using fluorinated acrylic adhesive for bonding pellicle frames and film, however the prior art fails to teach a two-phased system comprising a fluorinated polymer comprising the units defined by the claims and another fluorinated polymer obtained by radiation curing the monomers as defined by the claims in the presence of said fluorinated polymer. Yagi et al is the closest prior art which teaches an adhesive composition comprising a fluorinated polymer, however Yagi et al is differentiated from the instantly claimed because instead of fluorinated monomers used in the composition methacrylic monomers without fluorine groups are taught and Yagi et al is not specific to pellicle films. Yagi et al broadly teaches said adhesives have strong adhesive strength to substrates, such as metals, resins, ceramics and wood, among others. It is deemed that an artisan of ordinary skill in the art would not necessarily look to Yagi et al for use as a pellicle adhesive for bonding fluorinated pellicle films to a pellicle frame.

### *Allowable Subject Matter*

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2. Claims 4-5, 7-8, 10-11, 13-14, 16-17, 19-20 and 22-29 are allowed.

3. The following is an examiner's statement of reasons for allowance: the primary reasons for allowance is the adhesive combination of a fluorinated polymer having the structural units defined by the instant claims and an ultraviolet curable monomer selected from compounds having the formulas as instantly claimed for bonding/adhering a pellicle film made of a fluorinated polymer to a pellicle frame. While it is known in the art to use fluorinated adhesive in bonding pellicle films to pellicle frames the prior art is not specific to the types of polymers and monomer compositions as defined in the instant claims--see PTO-892. Therefore it is deemed that the prior art, taken alone or in combination, fails to teach the instantly claimed pellicle and methods of producing said pellicle as instantly claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 16, please delete the dependency 24 and insert 11.

In claim 19, please delete dependency 24 and insert 11.

In claim 20, please delete dependency 25 and insert 12.

#### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sanza L. McClendon

Examiner

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